

CONNELL FOLEY LLP

ATTORNEYS AT LAW

85 LIVINGSTON AVENUE
ROSELAND, NJ 07068
(973) 535-0500
FAX: (973) 535-9217

OTHER OFFICES

HARBORSIDE FINANCIAL
CENTER
2510 PLAZA FIVE
JERSEY CITY, NJ 07311
(201) 521-1000
FAX: (201) 521-0100

888 SEVENTH
9TH FLOOR
NEW YORK, NY 10106
(212) 307-3700
FAX: (212) 262-0050

THE ATRIUM, SUITE E
309 MORRIS AVENUE
SPRING LAKE, NJ 07762
(732) 449-1440
FAX: (732) 449-0934

1500 MARKET STREET
12TH FLOOR
EAST TOWER
PHILADELPHIA, PA 19101
(215) 246-3403
FAX: (215) 665-5727

LIBERTY VIEW BUILDING
457 HADDONFIELD ROAD
SUITE 230
CHERRY HILL, NJ 08002
(856) 317-7100
FAX: (856) 317-7117

COUNSEL

JOHN W. BISSELL
EUGENE J. CODEY, JR.
FRANCIS J. ORLANDO
FRANCIS E. SCHILLER*
EUGENE P. SQUEO*
BRIAN P. MORRISSEY-
NOEL D. HUMPHREYS*
ANTHONY ROMANO II*

KARIN I. SPALDING*
JODI ANNE HUDSON*
RICHARD A. JAGEN
JASON E. MARX*
ALEXIS E. LAZZARA
GAIL GOLDFARB*
THOMAS VECCHIO+
DANIEL B. KESSLER*
ROBERT A. VERDIBELLO*

DOUGLAS J. SHORT*
JAMES M. MERENDINO
MICHELE T. TANTALLA*
HECTOR D. RUIZ*
PHILIP W. ALLOGRAMENTO III*
STEPHEN D. KESSLER
CHRISTOPHER ABATEMARCO*
ANTHONY J. CORINO*
INGRID E. DA COSTA
MEGHAN BARRETT BURKE*
RUKHSANAH L. SINGH*
BRITTANY E. MIANO*
STACIE L. POWERS*
NICOLE B. DORY*
MICHAEL BOJBASA-
CHRISTOPHER M. HEMRICK*
SUSAN KWIATKOWSKI*
MELISSA D. LOPEZ
ANDREW L. BARON*
JASON D. FALK*
MICHAEL J. SHORTT+
VICTORIA N. MANOUSHAGIAN*
MEGHAN K. MUSSO*
BRENDAN W. CARROLL*

ELEONORE OFOSU-ANTWI*
EDMUND J. CAULFIELD*
SYDNEY J. DARLING*
NEIL V. SHAH*
STEPHEN R. TURANO*
STEVEN A. KROLL*
ROBERT M. DIPISA*
MATTHEW A. BAKER+
MICHAEL J. CREEGAN*
THOMAS M. BLEWITT, JR.+
MARY F. HURLEY
DANIELLE M. NOVAK+
KATELYN O'REILLY
JAMES E. FIGLIOZZI-
MATTHEW D. FIELDING*
MARIEL L. BELANGER*
NICHOLAS W. URCIUOLI
GENEVIEVE L. HORVATH
CHRISTINA SARTORIO*
THOMAS M. WESTER
DANIEL E. BONILLA*
CAITLIN PETRY CASCINO
THOMAS FORRESTER, JR.
KARA M. STEGER-

JOHN A. PINDAR (1969)
GEORGE W. CONNELL (2005)
ADRIAN M. FOLEY, JR.
GEORGE J. KENNY*
KENNETH F. KUNZMAN
SAMUEL D. LORD (2012)
RICHARD D. CATENACCI
RICHARD J. BADOLATO*
PETER D. MANAHAN
JOHN B. MURRAY
MARK L. FLEDER
KEVIN J. COAKLEY
THOMAS S. COSMA
KATHLEEN S. MURPHY
PATRICK J. MCAULEY
PETER J. PIZZI*+
KEVIN R. GARDNER
ROBERT E. RYAN
MICHAEL X. MCBRIDE*
JEFFREY W. MORYAN
EDWARD S. WARDELL
PETER J. SMITH*
WILLIAM P. KRAUSS
BRIAN G. STELLER
PHILIP F. MCGOVERN, JR.
KAREN PAINTER RANDALL
LIZA M. WALSH
JOHN P. LACEY*
MICHAEL J. CROWLEY-
TIMOTHY E. CORRISTON*
PATRICK J. HUGHES*+
JAMES C. MCCANN*
JOHN D. CROMIE

ANGELA A. IUSO*
WILLIAM T. MCGLOIN*
BRENDAN JUDGE
STEPHEN A. URBAN
CHARLES J. HARRINGTON III+
STEPHEN V. FALANGA*
TRICIA O'REILLY*
ANTHONY F. VITIello*+
MARC D. HAEFNER
JONATHAN P. MCHENRY
BRAD D. SHALIT*
M. TREVOR LYONS*
CRAIG S. DEMARESKI*
W. NEVINS MCCANN*
THOMAS J. O'LEARY*
MITCHELL W. TARASCHI
MICHAEL A. SHADIACK
OWEN C. MCCARTHY*
PATRICIA A. LEE*+
AGNIESZKA ANTONIAN*
MICHAEL MICELI
NEIL V. MODY*
STEVE BARNETT*
THOMAS M. SCUDERI*
JOSEPH M. MURPHY*
NANCY A. SKIDMORE*
CHRISTINE S. ORLANDO
JENNIFER C. CRITCHLEY*
PATRICK S. BRANNIGAN*
CHRISTINE I. GANNON*
ANDREW C. SAYLES*
WILLIAM D. DEVEAU*

*ALSO ADMITTED IN NEW YORK
+ALSO ADMITTED IN PENNSYLVANIA
-ONLY ADMITTED IN NEW YORK
PLEASE REPLY TO ROSELAND, NJ

Writer's Email: cabatemarco@connellfoley.com

October 15, 2013

VIA ECF

Honorable Madeline Cox Arleo, U.S.M.J.
King Building & U.S. Courthouse
50 Walnut St., P.O. Box 999
Newark, NJ 07101-0999

**Re: Montvale Surgical Center v. Horizon Blue Cross Blue Shield of New Jersey
Docket No. 12-2379; 12-2380; 12-3775; 12-3777**

Dear Judge Arleo:

Please be advised that this firm represents Horizon Blue Cross Blue Shield of New Jersey ("Horizon") in the above captioned matters. As Your Honor may recall, the above matters were the subject of a settlement conference on July 25, 2013. At that time, the parties agreed to a settlement in principal but were to continue to work together to effectuate a satisfactory settlement agreement.

We are now in receipt of correspondence from plaintiff's counsel, Andrew Bronsnick, Esq., informing Your Honor of the parties' inability to finalize a settlement agreement and requesting an additional sixty (60) day dismissal order from October 1, 2013 and also informing the court of his intention to file a motion to enforce the settlement between the parties.

We agree that the parties have reached an impasse in negotiating the language of the settlement agreement. Accordingly, we join with plaintiff's counsel in respectfully requesting a conference with Your Honor to assist the parties in resolving these outstanding issues and ultimately finalizing a settlement agreement.

Honorable Madeline Cox Arleo, USMJ
October 15, 2013
Page 2

As always, we are available to answer any questions Your Honor or Your Honor's staff may have on this matter.

Respectfully submitted,

CONNELL FOLEY LLP

s/Christopher Abatemarco

Christopher Abatemarco

cc: Andrew Bronsnick, Esq. (Via ECF)